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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/42/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu, is pleased to make the following rules relating to the non-ministerial posts in the Directorate of Animal Husbandry and Veterinary Services under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government, Directorate of Animal Husbandry and Veterinary Services (Non-ministerial posts) Recruitment rules 1969.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment of the said posts, age limit, qualifications and other matters

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

T. Kipgen
Chief Secretary

Panaji, 23rd October, 1969.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1) Tractor Driver	One	Class III (non-ministerial, non-gazetted)	Rs. 110-3-131-4-155-5-180	Selection	30 years and below	1. Middle School or equivalent. 2. Driving licence of Tractor with at least two years experience in the line.	N. A.	Two years	By promotion failing which by direct recruitment.	Promotion class IV employees in the office with 2 years service in the grade possessing tractor driving licence and having at least one year experience in driving tractors.	Class III D.P.C.	As required under the rules.
2) Mechanic Grade II	One	Do	Rs. 125-3-131-4-155	Selection	Do	Certificate course in mechanic from a recognised Institution preferably with practical experience of at least two years as mechanic in a workshop of repute. <i>Desirable:</i> Persons having Matriculation or equivalent qualification.	Age-No Qls-Yes	Do	By promotion failing which by direct recruitment.	<i>Promotion:</i> Assistant mechanic with 3 years service in the cadre.	Do	Do
3) Bull Attendants	10	Class IV	Rs. 70-1-80-EE-1-85	N. A.	18 to 25 years	Knowledge of reading and writing local language. <i>Desirable:</i> Experience in maintenance and handling of cattle.	N. A.	Do	By direct recruitment.	N. A.	N. A.	Do
4) Piggery Attendants	2	Do	Do	Do	Do	Knowledge of reading and writing local language. <i>Desirable:</i> Experience in maintenance and handling of pigs.	N. A.	Do	Do	N. A.	N. A.	Do
5) Assistant Mechanic	1	Do	Do	Do	Do	Knowledge of reading and writing local language and having experience in maintenance of machinery like mixers and grinders.	N. A.	Do	Do	N. A.	N. A.	Do

Notification

OSD/RRVS/41/67-B

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Class III non-ministerial, non-gazetted post of Technical Assistant (Education Evaluation Unit) in the Directorate of Education, under the Government of Goa, Daman and Diu.

1. **Short title.**—These rules may be called Goa Government, Directorate of Education Class III (Non-ministerial non-gazetted post) Recruitment Rules, 1969.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.**—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment of the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

K. N. Srivastava
Chief Secretary

Panaji, 21st October, 1969.
29th Asvina, 1891.

SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is to be considered in its composition making recruitment	Circumstances in which U. P. S. C. is to be consulted in making recruitment
Technical Assistant (Education Evaluation Unit)	One	Class III Non-gazetted non-ministerial	Rs. 210-10-290-15-320-EB-15-425.	Selection	30 years and below.	Essential: Graduate from any recognised University with 3 years teaching experience. Desirable: Persons possessing trained teachers qualification.	N. A.	Two years	By direct recruitment.	N. A.	N. A.	As required under the rules.

Notification

OSD/RRVS/21/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment of the class III and class IV posts in the Office of the Chief Electrical Engineer under the Government of Goa, Daman and Diu.

1. **Short title.**—These rules may be called Goa, Government, Office of the Chief Electrical Engineer (Class III non-ministerial and class IV posts) Recruitment rules, 1969.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.**—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

(a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and

(b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

K. N. Srinivastava

Chief Secretary

Panaji, 23rd October, 1969.
7th Sravana, 1891.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Store Superintendent	One	Class III (Non-gazetted Ministerial)	Rs. 210-10-290-15-320-EB-15-380	Selection	N. A.	N. A.	No.	Two years	Promotion.	Promotion from Upper Division Clerk with 3 years' service in the grade.	Yes Class III D.P.C.	As required under the rules.
2. Steno typist	Three	Do	Rs. 110-3-131-4-155-EB-4-175-5-180-plus Rs. 20/- p.m. (Special Pay)	Do	18 to 21 years Relaxable to Govt. servants	(i) Matriculation or equivalent qualification until replaced by Higher Secondary. Speed of 80 w.p.m. in Shorthand and 30 w.p.m. in typing.	N. A.	Do	Direct recruitment.	N. A.	N. A.	Do
3. Helper	124	Class IV	Rs. 70-1-80-EB-1-85	Do	30 years Relaxable to Govt. servants	Experience in working on construction of Electrical lines for a minimum period of two years.	N. A.	Do	Do	N. A.	N. A.	Do

Home Department 'A'

Notification

HD-25-2319/68-A

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Tourist Vehicles Rules, 1967 is hereby published as required by Sub-Section (1) of section 133 of the Motor Vehicles Act, 1939 (Act No. 4 of 1939) for information of the public. All objections and suggestions to the draft amendment may be forwarded by all those persons who are interested to offer, to the Chief Secretary to the Government of Goa, Daman and Diu, Secretariat, Panaji, within 30 days from the date of publication of this Notification in the Government Gazette.

DRAFT-AMENDMENT

In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (Act No. 4 of 1939) and all other powers hereunto enabling him in that behalf, the Lt. Governor of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Tourist Vehicles Rules, 1967, namely:

1. **Short title and commencement.**— (1) These rules may be called the Goa, Daman and Diu Tourist Vehicles (Fourth Amendment) Rules 1969.

(2) They shall come into force at once.

2. **Amendment of Rule 8.**— For sub-rules (1), (2) and (3) of Rule 8 of the Goa, Daman and Diu Tourist Vehicles Rules, 1967, hereinafter called «the principal rules», the following shall be substituted, namely:—

«The Tourist Vehicle shall prominently display on it the letter "T" and the serial number allotted by the authority making the endorsement on the permit relating to the vehicle shall be painted on the front fender of the Tourist Vehicle. The letter and numerals shall be painted on a white surface enclosed by a circle drawn in red and shall not be less than 5 cms in height and 4 cms in breadth.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. B. Deshpande, Under Secretary (Home).

Panaji, 10th November, 1969.

Finance (Revenue) Department

Notification

Fin (Rev)/2-42-2/2864/69

In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (Act No. 2 of 1899) as extended to the Union Territory of Goa, Daman and Diu the Lt. Governor of Goa, Daman and Diu is pleased to remit the Stamp duty payable under the said Act, in respect of the instruments executed by or on behalf

of the farmers in the Union Territory of Goa, Daman and Diu for obtaining loans for agricultural purposes from the Commercial Banks.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 28th October, 1969.

Law and Judicial Department

Notification

LD/2/N-60/69

The Bihar State Legislature (Delegation of Powers) Act, 1969 (30 of 1969) which was recently passed by the Parliament and assented to by the President of India on 31-8-1969 is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 18th October, 1969.

The Bihar State Legislature (Delegation of Powers) Act, 1969

AN

ACT

to confer on the President the power of the Legislature of the State of Bihar to make laws.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Bihar State Legislature (Delegation of Powers) Act, 1969.

2. **Definition.**— In this Act, "Proclamation" means the Proclamation issued on the 4th day of July, 1969, under article 356 of the Constitution, by the Vice-President of India acting as the President and published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 1600 of the said date.

3. **Conferment on the President of the power of the State Legislature to make laws.**— (1) The power of the Legislature of the State of Bihar to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President.

(2) In the exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact as a President's Act a Bill containing such provisions as he considers necessary:

Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a committee constituted for the purpose consisting of forty members of the House of the People nominated by the Speaker and twenty members of the Council of States nominated by the Chairman.

(3) Every Act enacted by the President under sub-section (2) shall, as soon as may be after enactment, be laid before each House of Parliament.

(4) Either House of Parliament may, by resolution passed within thirty days from the date on which the Act has been laid before it under sub-section (3), which period may be comprised in one session or in two successive sessions, direct any modifications to be made in the Act and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it or the session succeeding, such modifications shall be given effect to by the President by enacting an amending Act under sub-section (2):

Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended.

Notification

LD/2/N/61/69

The Indian Penal Code (Amendment) Act, 1969 (36 of 1969) which was recently passed by the Parliament and assented to by the President of India on 7th September, 1969, is hereby published for general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 18th October, 1969.

26 Asvina, 1891.

The Indian Penal Code (Amendment) Act, 1969

AN ACT

further to amend the Indian Penal Code and to provide for matters incidental thereto.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Indian Penal Code (Amendment) Act, 1969.

2. **Amendment of section 292 of Act 45 of 1860**— In the Indian Penal Code,—

(a) section 292 shall be re-numbered as sub-section (2) thereof and before sub-section (2), as so re-numbered, the following sub-section shall be inserted, namely:

“(1) For the purposes of sub-section (2), a book, pamphlet, paper, writing, drawing, painting, representation, figure or any other object, shall be deemed to be obscene if it is lascivious or appeals to the prurient interest or if its effect, or (where it comprises two or more distinct items) the effect of any one of its items, is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it.”;

(b) in sub-section (2) of section 292, as so renumbered,—

(i) for the words “with imprisonment of either description for a term which may extend to three months, or with fine, or with both”, the words “on first conviction with imprisonment of either description for a term which may extend to two years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of their description for a term which may extend to five years, and also with fine which may extend to five thousand rupees” shall be substituted;

(ii) for the *Exception*, the following *Exception* shall be substituted, namely:—

“*Exception.*—This section does not extend to—

(a) any book, pamphlet, paper, writing, drawing, painting, representation or figure—

(i) the publication of which is proved to be justified as being for the public good on the ground that such book, pamphlet, paper, writing, drawing, painting, representation or figure is in interest of science, literature, art or learning or other objects of general concern, or

(ii) which is kept or used *bona fide* for religious purposes;

(b) any representation sculptured, engraved, painted or otherwise represented on or in—

(i) any ancient monument within the meaning of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, or

24 of 1958.

(ii) any temple, or on any car used for the conveyance of idols, or kept or used for any religious purpose”;

(c) in section 293, for the words “with imprisonment of either description for a term which may extend to six months, or with both”, the words “on first conviction with imprisonment of either description for a term which may extend to three years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and also with fine which may extend to five thousand rupees” shall be substituted.

3. **Amendment of sections 99A, 108 and Schedule II of Act 5 of 1898.**— In the Code of Criminal Procedure, 1898,—

(a) in sub-section (1) of section 99A,—

(i) for the words “seditious matter”, the words “seditious or obscene matter”, and

(ii) for the words “punishable under section 124A or section 153A or section 295A”, the words “punishable under section 124A or section 153A or section 292 or section 293 or section 295A”,

shall be substituted;

(b) in section 108,—

(1) after the words "who, within or without such limits," the brackets and figure "(i)" shall be inserted;

(2) after clause (c), the following shall be inserted, namely:—

"(ii) makes, produces, publishes or keeps for sale, imports, exports, conveys, sells, lets to hire, distri-

butes, publicly exhibits or in any other manner puts into circulation any obscene matter such as is referred to in section 292 of the Indian Penal Code,";

45 of 1860.

(c) in Schedule II, for the entries relating to sections 292 and 293 of the Indian Penal Code, the following entries shall be substituted, namely:—

45 of 1860.

1	2	3	4	5	6	7	8
"292	Sale, etc., of obscene books, etc.	May arrest without warrant.	Warrant	Bailable	Not compoundable.	On first conviction with imprisonment of either description for a term which may extend to two years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and also with fine which may extend to five thousand rupees.	Court of Session.
293	Sale, etc., of obscene objects to young persons.	May arrest without warrant.	Warrant	Bailable	Not compoundable.	On first conviction with imprisonment of either description for a term which may extend to three years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and also with fine which may extend to five thousand rupees.	Court of Session."

Notification

LD/2/N-62/69

The Criminal and Election Laws (Amendment) Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 4th September, 1969 is hereby published for general information of public.

M. S. Borkar, Under Secretary (Law).

Panaji, 18th October, 1969.

26th Asvina, 1891.

The Criminal and Election Laws Amendment Act, 1969

AN

ACT

further to amend the Indian Penal Code, the Code of Criminal Procedure, 1898 and the Representation of the People Act, 1951 and to provide against printing and publication of certain objectionable matters.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Criminal and Election Laws Amendment Act, 1969.

2. **Substitution of new section for section 153A.**— In the Indian Penal Code (hereinafter referred to as the Penal

45 of 1860.

Code), for section 153A, the following section shall be substituted, namely:—

"153A. **Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.**— (1) Whoever—

(a) by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or caste or communities, or

(b) commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquility, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) **Offence committed in place of worship etc.**— Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine."

3. **Amendment of section 505.**— Section 505 of the Penal Code shall be re-numbered as sub-section (1) of that section, and—

(i) after sub-section (1) as so re-numbered but before the *Exception*, the following sub-sections shall be inserted, namely:—

“(2) Statements creating or promoting enmity, hatred or ill-will between classes.—Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(3) Offence under sub-section (2) committed in place of worship, etc.—Whoever commits an offence specified in sub-section (2) in any place of worship or in any assembly engaged in the performance of religious worship or religious

ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine.”;

(ii) in the *Exception*, after the words “circulates it”, the words “in good faith and” shall be inserted.

4. Amendment of Act 5 of 1898.—In the Code of Criminal Procedure, 1898,—

(a) in section 196, for the words “the State Government or some officer empowered by the State Government in this behalf”, the words “the State Government or District Magistrate or such other as may be empowered by the State Government in this behalf” shall be substituted;

(b) in Schedule II,—

(i) for the entries in columns 1 to 8 relating to section 153A, the following entries shall be substituted, namely:—

1	2	3	4	5	6	7	8
“153A(1)	Promoting enmity between classes.	May arrest without warrant.	Warrant	Not bailable.	Ditto	Imprisonment of either description for three years, or fine or both.	Presidency Magistrate or Magistrate of the first class.
153A(2)	Promoting enmity between classes in place of worship, etc.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for five years and fine.	Ditto.”;

(ii) for the entry in column 3 relating to section 154, the entry “Shall not arrest without warrant” shall be substituted;

(iii) for the entries in columns 1 to 8 relating to section 505, the following entries shall be substituted, namely:—

1	2	3	4	5	6	7	8
“505(1)	False statement, rumour, etc., with intent to cause mutiny or offence against the public peace.	Ditto	Ditto	Not bailable.	Not compoundable.	Imprisonment of either description for three years, or fine or both.	Presidency Magistrate or Magistrate of the first class.
505(2)	False statement, rumour, etc., with intent to create enmity, hatred or ill-will between different classes.	May arrest without warrant.	Ditto	Ditto	Ditto	Imprisonment of either description for three years, or fine or both.	Ditto.
505(3)	False statement, rumour, etc., made in place of worship, etc., with intent to create enmity, hatred or ill-will.	Ditto	Ditto	Ditto	Ditto	Imprisonment of either description for five years and fine.	Ditto.”;

(iv) for the entries in columns 3 and 7 relating to section 506 as applicable to “Criminal intimidation” (first paragraph), the entries “Shall not arrest without warrant” and “Imprisonment of either description for 2 years, or fine, or both” shall, respectively, be substituted.

sub-section (2) or sub-section (3) of section 595 of the Indian Penal Code” shall be substituted.

5. Amendment of section 8.—In section 8 of the Representation of the People Act, 1951, in sub-section (1), for the words, figures and letters “section 171E or section 171F of the Indian Penal Code”, the words, figures and letters “section 153A or section 171E or section 171F or 43 of 1951.

6. Power to control prejudicial publications.—(1) The Central Government or a State Government or any authority so authorised by the Central Government in this behalf, if satisfied that such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony and affecting or likely to affect public order, may, by order in writing addressed to the printer, publisher or editor, prohibit the printing or publication of any document or any class of docu-

ments of any matter relating to a particular subject or class of subjects for a specified period or in a particular issue or issues of a newspaper or periodical:

Provided that no such order shall remain in force for more than two months from the making thereof:

Provided further that the person against whom the order has been made may, within ten days of the communication of the order, make a representation,—

(i) to the Central Government, where such order is made by the Central Government or any authority authorised by it; and

(ii) to the State Government, where such order is made by the State Government,

and the Central Government or the State Government, as the case may be, may, after consultation with a Committee, to be known as Press Consultative Committee, dispose of the matter, modifying, confirming or rescinding the order.

(2) In the event of disobedience of an order made under sub-section (1), the Central Government or the State Government or the authority issuing the order, as the case may be, may, without prejudice to any other penalty to which the person guilty of the disobedience is liable under this Act or under any other law for the time being in force, direct that copies of the publication made in violation of an order made under sub-section (1) be seized, and that any printing press or other instrument or apparatus used in the publication be closed down for the period such order is in operation.

7. Penalty.—Whoever contravenes, disobeys or neglects to comply with any order made under section 6 of this Act, shall, on conviction, be punished with imprisonment of either description which may extend to one year, or with fine up to one thousand rupees, or with both.

8. Composition of the Press Consultative Committee and rules in respect thereof.—(1) A Press Consultative Committee referred to in the second proviso to sub-section (1) of section 6, shall consist of such number of persons, being editors, publishers and journalists, as may be prescribed by rules made under this section.

(2) The Central Government may make rules for the constitution of Press Consultative Committees, the term of office of the members of such Committees, the allowances, if any, to be paid to such members for attending the meetings of the Committee and the manner of filling casual vacancies among them, and for all matters connected therewith or incidental thereto.

(3) In particular, and without prejudice to the generality of the foregoing power under sub-section (2), such rules may provide for all or any of the following matters, namely:—

(a) the number of persons who may be appointed as members of a Press Consultative Committee and the class or category of persons from whom such members are to be appointed;

(b) the authority or authorities which may make such appointments;

(c) the procedure to be followed by the Central Government or the State Government, as the case may be, in consulting the Press Consultative Committee;

(d) the procedure to be followed by the Press Consultative Committee;

(e) any other matter for which rules have to be made for enabling the Press Consultative Committee to function.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Notification

LD/2/N-59/69

The Appropriation (No. 4) Act, 1969 (31 of 1969) which was recently passed by the Parliament and assented to by the President of India on 30-8-1969, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 18th October, 1969.

The Appropriation (No. 4) Act, 1969

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1969-70.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Appropriation (No. 4) Act, 1969.

2. Issue of Rs. 13,62,41,000 out of the Consolidated Fund of India for the year 1969-70.—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of thirteen crores, sixty-two lakhs and forty-one thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1969-70, in respect of the services specified in column 2 of the Schedule.

3. Appropriation.—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for

the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
7	Education	1,000	...	1,000
41	Stationary and Printing	2,04,000	2,04,000
44	Cabinet	3,31,000	...	3,31,000
60	Salt	12,53,000	...	12,53,000
61	Other Revenue Expenditure of the Ministry of Industrial Development, Internal Trade and Company Affairs	8,10,000	...	8,10,000
66	Multi-purpose River Scheme	5,00,000	...	5,00,000
82	Other Revenue Expenditure of the Ministry of Shipping and Transport	4,15,00,000	...	4,15,00,000
93	Post and Telegraphs Working Expenses	2,00,000	...	2,00,000
98	Other Revenue Expenditure of the Department of Social Welfare	1,50,000	...	1,50,000
116	Delhi Capital Outlay	1,000	...	1,000
121	Capital Outlay of the Ministry of Industrial Development, Internal Trade and Company Affairs	6,50,90,000	...	6,50,90,000
124	Other Capital Outlay of the Ministry of Irrigation and Power	60,00,000	...	60,00,000
125	Capital Outlay of the Ministry of Labour, Employment and Rehabilitation	4,00,000	...	4,00,000
131	Capital Outlay on Aviation	1,000	...	1,000
	Grand Total ...	13,60,37,000	2,04,000	13,62,41,000

Notification

JCC/J-37/69-70/(e)

In exercise of the powers conferred by section 20 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963, and section 122 of the Code of Civil Procedure 1908, read with clause (a) of sub-section (1) of section 5 of the Goa, Daman and Diu (Extension of the Code of Civil Procedure and the Arbitration Act) Act, 1965 the court of the Judicial Commissioner hereby makes the following rules namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Judi-

cial Commissioner's Court and Subordinates courts (Fees of Advocates) Rules, 1969.

(2) They shall come into force at once.

2. In these rules unless the context otherwise requires

(a) "The Code" means the Code of Civil Procedure, 1908 as extended to the Union Territory of Goa, Daman and Diu under the Provision of Goa, Daman and Diu (Extension of the Code of Civil Procedure and the Arbitration Act) Act, 1965.

(b) "High Court" means the Judicial Commissioner's Court established under the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963.

(c) "Court" means any civil court subordinate to the High Court.

(d) "Government Gazette" means the gazette published by the Government of Goa, Daman and Diu.

3. The amount of the Advocates fees to be taxed in the bill of costs recoverable by a party, if represented by an Advocate, from his adversary, shall be computed in accordance with the provisions laid down in the Schedule annexed to these rules.

4. In all cases tried by Courts of the value of Rs. 5,000/- and in all the cases filed in appellate or revisional Courts, irrespective of the value, the lawyer's fees shall be included in the bill of costs only if the lawyer concerned furnishes a memorandum stating the fee charged by him, provided that in no case the fee charged by the lawyer concerned and as shown in the said memorandum shall exceed the maximum amount prescribed under these Rules.

5. When the Court awards costs in any matter without specifying the amount or the scale thereof and the amount thereof is not prescribed under any Act or rule, a sum of Rs. 64/- shall be allowed as the Advocate's fee in the High Court and Rs. 32/- in the Courts.

SCHEDULE

Rules for Computing the Advocates' Fee

I. (a) In suits which decide on merits the real dispute between the parties;

(b) In appeals from decrees (including preliminary decrees) other than appeals from execution proceedings which decide on merits the real dispute between the parties;

(c) And in applications, proceedings or appeals which decide on merits the real dispute between the parties under the Land Acquisition Act, 1894 the Advocate's fee shall be computed on the amount or value of the subject matter in dispute in the suit, appeal, application or proceeding at the rates specified below:—

If the amount or the value of the subject matter in dispute for the purpose of jurisdiction does not exceed Rs. 2,000/- at 7½ per cent.

If such amount or value exceeds Rs. 2,000/- but does not exceed Rs. 5,000/-, on Rs. 2,000/- as above and on the remainder at 5 per cent.

If such amount or value exceeds Rs. 5,000/- but does not exceed Rs. 10,000/-, on Rs. 5,000/- as above and on the remainder at 2 per cent.

If such amount or value exceeds Rs. 10,000/- but does not exceed Rs. 20,000/-, on Rs. 10,000/- as above and on the remainder at 1 per cent.

If such amount or value exceeds Rs. 20,000/- on Rs. 20,000/- as above and on the remainder at $\frac{1}{2}$ per cent.

Exception No. I: The amount of Advocates fee in a suit, appeal, application or proceeding between landlord and tenant shall be calculated on the amount or value of the claim for the purposes of Court fees and not on the amount or value of the claim for the purposes of jurisdiction:

Provided that the amount may, at the discretion of the Court, be calculated on the amount or value of the claim for the purposes of jurisdiction when the Court is of the opinion, having regard to the labour involved in the preparation of the case, or to the complexity of the issues arising therein, that the higher rate of valuation is appropriate.

Exception No. II: If the suits, appeals, applications and proceedings mentioned in clauses (a), (b) and (c) of this rule are decided by the Court otherwise than on merits, the Advocates' fees shall be assessed at half the prescribed rates.

Exception No. III:

II. (a) In appeals from Orders;

(b) In Civil applications or proceedings other than applications and proceedings necessary for the progress a suit or appeal and other than applications arising in or out of applications, proceedings or appeals falling under rules V and VI below; and,

(c) In all other cases not otherwise provided for; the amount of the Advocate's fee to be allowed shall be $\frac{1}{4}$ of that payable according to the rates specified in rule I.

III. The fee prescribed in rules I and II shall be taken to be the remuneration for the Advocate's services until the final decree or order in the suit, appeal, application, reference or proceeding is passed.

IV. In execution proceedings or in appeals in execution proceedings, the Advocate's fee to be allowed shall be $\frac{1}{4}$ th of the fee calculated at the rates specified in rule I on the amount or value of the relief or money claimed in the application to execute the decree. Such fee shall be chargeable on the first application and on every subsequent contested application.

V. The Advocate's fee shall be Rs. 100/- in an application made under Article 226 of the Constitution and Rs. 75/- in an application made under Article 227 of the Constitution:

Provided that the High Court may, having regard to the labour involved in the preparation of the case or the complexity of the issues arising therein or for any other sufficient reason, allow higher fee not exceeding Rs. 500/- in an application made under Article 226 and Rs. 250/- in an application made under Article 227 of the Constitution.

VI. (a) In any reference made to the High Court under section 113 of the Code;

(b) In any application to the High Court under section 115 of the Code or section 8 of the aforementioned Regulation No. 10 of 1963; and

(c) In all applications or appeals under —

(1) The Indian Trust Act, 1882.

(2) any other special or local Act, a sum of Rs. 64/- shall be allowed as the Advocate's fee in the High Court and Rs. 32/- in the Courts.

VII. In no case, whether specially provided for in this Schedule or otherwise, shall the Advocate's fee payable in any civil suit, appeal (including an appeal from execution proceedings), application or proceeding other than execution proceedings be less than —

(a) Rs. 64/- in the High Court;

(b) Rs. 32/- in a District Court; and

(c) Rs. 20/- in the subordinate Courts.

V. S. Jetley, Judicial Commissioner.

Panaji, 3rd November, 1969.

Office of the Chief Electoral Officer

Notification

ELN/SYM/68

The following Notification No. 56/69-IX dated the 18th October, 1969, issued by the Election Commission of India, New Delhi, is hereby published for general information.

R. L. Segel, Law Secretary and Chief Electoral Officer.

Panaji, 28th October, 1969.

Election Commission of India

New Delhi, dated the 18th October, 1969

Notification

In pursuance of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following amendment in its notification No. 56/69-II (S. O. 89), dated the 4th January, 1969, namely: —

In Table 3, against the entry "1. Andhra Pradesh" for the entries "(5) Two leaves, (6) Elephant and (7) Flower", the entries "(5) Two leaves and (6) Elephant" shall be substituted.

[No. 56/69-IX]

By order,

ROSHAN LAL

Secretary.

Local Self Government Department

Notification

DF-609-FOR-69

In exercise of the powers conferred under Section 49 of the Goa, Daman and Diu Wild Animals and Wild Birds Protection Act, 1965 the Administrator of Goa, Daman and Diu is pleased to delete item No. 9 of the Schedule III appended to the said Act and to add the following three species of Crocodile as entries 9, 10 and 11 to the said Schedule, namely:

9. Gharial (*Gavialis gangeticus*).

10. Mugger of Marsh Crocodile (*Crocodilus palustris*).

11. Salt Water Crocodile (*Crocodilus porosus*).

Shooting or killing, illegitimate possession and sale of crocodile skins and products thereof will amount to a breach of the provisions of the Goa, Daman and Diu Wild Animals and Wild Birds Protection Act, 1965 and the rules made thereunder. Offenders will be severely dealt with in accordance

with the provisions of the said Act and the rules made thereunder.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. N. Dixit, Secretary (Local Self Govt. Deptt).

Panaji, 28th October, 1969.

6th Kartika, 1891.

Planning Department

Notification

5-2-69-PLG

It is hereby notified for general information that the Government of India have notified their intention to take a Census during 1971, with sunrise 1st of March 1971 as the reference date and that accordingly a Census of the population of Goa, Daman and Diu will be taken between 10th February and 1st March 1971.

"The Census" should be regarded as of paramount importance while it lasts, and it will be the duty of all officers of Government and of non-officials who have been or who may hereafter be, entrusted with Census, work, to ensure that the instructions issued by the Superintendent of Census, Operations, Goa, Daman and Diu for the conduct and guidance of Census Officers in the taking of the Census are carefully studied and carried out promptly, efficiently and correctly.

It is further directed that the services of the staff of all departments and educational institutions excepting the Police, Medical and Transport Department be made available for the purpose of the ensuing Census without prejudice to their normal duties, on a requisition of the Collectors of Goa, Daman and the Civil Administrator, Diu. To supplement the efforts of official agencies in carrying out this important work, Government desire from all classes of public their ready and willing co-operation to render service in various capacities whenever it is required. It is expected that all persons will co-operate in furnishing accurate and unambiguous information in respect of the questions that may be put

to them in the course of enumeration. Any person who intentionally gives a false answer to, or refuses to answer to the best of his knowledge or belief any question that may be asked of him by a Census Officer and which he is legally bound to answer will be punishable with fine upto a maximum of one thousand rupees, *Vide* Section II (d) of the Census Act.

The questions authorised to be asked of every person will be published in the Government of Goa, Daman and Diu Gazette for general information, at the appropriate time.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

T. Kipgen

Secretary to Government

Panaji, 23rd October, 1969.

Labour and Information Department

Mormugao Port Trust

Notification

MPT/IGA(E.682-I)/69

As required under Section 124(2) of the Major Port Trusts Act, 1963, the following amendment to the Mormugao Port Employees' (Pension & Gratuity) Regulations, 1966 adopted by the Board of Trustees is hereby published:—

In regulation 41 of the Mormugao Port Employees' (Pension & Gratuity) Regulations, 1966, the full stop at the end of the Regulation shall be removed and the following added, namely:—

"or three months' pay and allowances in lieu of such notice".

By order,

Shivakumar Dhindaw

Secretary

Mormugao, 29th October, 1969.